



# Data Protection Act 2018

## 2018 CHAPTER 12

### PART 4

#### INTELLIGENCE SERVICES PROCESSING

### CHAPTER 3

#### RIGHTS OF THE DATA SUBJECT

##### *Rights*

#### **96 Right not to be subject to automated decision-making**

- (1) The controller may not take a decision significantly affecting a data subject that is based solely on automated processing of personal data relating to the data subject.
- (2) Subsection (1) does not prevent such a decision being made on that basis if—
  - (a) the decision is required or authorised by law,
  - (b) the data subject has given consent to the decision being made on that basis, or
  - (c) the decision is a decision taken in the course of steps taken—
    - (i) for the purpose of considering whether to enter into a contract with the data subject,
    - (ii) with a view to entering into such a contract, or
    - (iii) in the course of performing such a contract.
- (3) For the purposes of this section, a decision that has legal effects as regards an individual is to be regarded as significantly affecting the individual.

**Changes to legislation:**

Data Protection Act 2018, Section 96 is up to date with all changes known to be in force on or before 14 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 3 para. 8(1)(y) added by [2022 c. 18 \(N.I.\) Sch. 3 para. 78\(3\)](#)